

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GORDON ANDREW MESSERLY,

Defendant.

**CR 21-12-GF-BMM**

**ORDER**

Gordon Andrew Messerly (“Messerly”) filed a Motion for Early Termination of Supervised Release on February 23, 2024. (Doc. 29.) The United States does not oppose Messerly’s motion. *See* (Doc. 29 at 2.) United States Probation supports early termination of Messerly’s supervision. *See* (Doc. 29 at 2); (Doc. 30 at 2). The Court conducted a hearing on the motion on March 18, 2024. (Doc. 32.) For the reasons below, the Court grants Messerly’s motion.

Messerly pleaded guilty to one count of assault resulting in substantial bodily injury. *See* (Doc. 21); (Doc. 19 at 2.) The Court sentenced Messerly to the Bureau of Prisons on October 6, 2021, for a term of 18 months, followed by two years of supervised release. (Doc. 27.) Messerly began his supervision on August 1, 2022, with a scheduled termination date of July 31, 2024. *See* (Doc. 30 at 2.)

Federal law authorizes a defendant to move for termination of supervised

release after successfully completing one year if the Court is satisfied that such action remains “warranted by the conduct of the defendant and the interest of justice.” 18 U.S.C. § 3564(c). The Court must consider the factors in 18 U.S.C. § 3553(a) when evaluating whether to terminate a term of supervised release.

The factors in 18 U.S.C. § 3553(a) support an early termination of Messerly’s supervised release. Messerly has complied with all terms of his supervised release since August 2021 when his supervised release term began. (Doc. 30 at 3.) He has been under supervision without incident for approximately 31 months. *See (Id.)* Messerly also has maintained employment in landscaping services since beginning supervision. (*Id.*) Messerly’s U.S. Probation Officer David Velasquez stated that he believes early termination of Messerly’s term of supervised release is appropriate. (*Id.* at 2.) Termination of supervision is warranted.

Accordingly, **IT IS ORDERED:**

1. Messerly’s Unopposed Motion for Early Termination of Supervised Release (Doc. 29) is **GRANTED**.

**DATED** this 18th day of March, 2024.

A handwritten signature in blue ink, reading "Brian Morris", is written over a horizontal line.

Brian Morris, Chief District Judge  
United States District Court